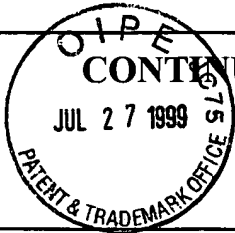


GOI 28/1/99



**CONTINUED PROSECUTION APPLICATION (CPA)  
UNDER 37 C.F.R. § 1.53(d)  
REQUEST TRANSMITTAL**

#17/CPA  
8/4/99  
Furler

<b>Address to:</b>  <b>Assistant Commissioner for Patents Box CPA Washington, D.C. 20231</b>	<b>Attorney Docket No.:</b>	303.278US1
	<b>First Named Inventor:</b>	Klaus Florian Schuegraf
	<b>Express Mail No.:</b>	EL254618888US
	<b>Total Pages (if by fax):</b>	0

This is a request for filing a continuation application under 37 CFR § 1.53(d) of prior application Serial No. 08/902,809, filed on July 30, 1997, entitled SELECTIVE SPACER TO PREVENT METAL OXIDE FORMATION DURING POLYCIDIC REOXIDATION.

The above-identified prior application in which no abandonment of, or termination of, proceedings has occurred, is hereby expressly abandoned as of the filing date of this request for a CPA. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (37 CFR 1.53(b) must be used for continuation-in-part applications or for applications where the prior application is not to be abandoned.)

- 1. ☐ Enter the amendment previously filed on ☐ under 37 CFR 1.116, but unentered, in the prior application.
- 2. ☒ A Preliminary Amendment ( 8 pages) is enclosed.
- 3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- 4. ☐ A new power of attorney is enclosed.
- 5. ☐ Information Disclosure Statement is enclosed.
  - a. ☐ Form(s) 1449
  - b. ☐ Copies of IDS Citations

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The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 on the previous page:

	No. Filed	No. Extra	Rate	Fee
TOTAL CLAIMS	18 - 20 =	0	x 18 =	\$0.00
INDEPENDENT CLAIMS	7 - 3 =	4	x 78 =	\$312.00
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED				\$0.00
BASIC FEE				\$760.00
TOTAL				\$1,072.00

6. ☐ Small Entity Status:

a. ☐ A small entity statement is enclosed.

b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

c. ☐ Is no longer claimed.

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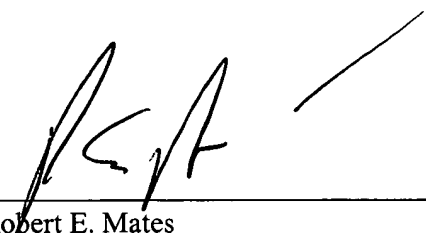
7. ☒ A check in the amount of \$1,072.00 is attached to pay the filing fee.

8. ☒ The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 CFR 1.16 through 1.18 to Deposit Account No. 19-0743.

9. ☐ A petition for extension of time in the prior application is enclosed along with a check in the amount of \$0.00 to pay the extension fee.

10. ☐ Other : \_\_\_\_\_

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By:   
Atty: Robert E. Mates  
Reg. No. 35,271

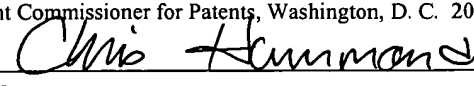
Customer Number **21186**

"Express Mail" mailing label number EL25461888US

Date of Deposit July 27, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Box CPA, Assistant Commissioner for Patents, Washington, D. C. 20231

Chris Hammond  
Printed Name

  
Signature

S/N 08/902,809

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Klaus Florian Schuegraf et al.

Examiner: O Nadav

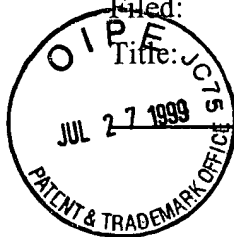
Serial No.: 08/902,809

Group Art Unit: 2811

Filed: July 30, 1997

Docket: 303.278US1

Title: SELECTIVE SPACER TO PREVENT METAL OXIDE FORMATION  
DURING POLYCID REOXIDATION



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**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Prior to examination, please amend the above-identified application as follows:

**IN THE SPECIFICATION**

On page 4, line 27, change "active area 215" to --oxide layer 215--.

On page 5, lines 5-6, change "active area 215" to --oxide layer 215--.

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**AUG 02 1999**

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**REMARKS**

In response to the Final Office Action mailed April 27, 1999, the applicant requests reconsideration of the above-identified application in view of the following remarks. Claims 23-31 and 36-44 are pending in the application, and claims 23-31 and 36-44 are rejected.

**Telephone interview**

The applicant thanks Examiner Nadav for the telephone interview granted on Friday, July 16, 1999 between himself and the applicant's representative Mr. Mates (Reg. No.35,271).

**Amendment to the Specification**

The applicant has amended the specification on pages 4 and 5 to replace the term "active area 215" with the term --oxide layer 215--. The applicant respectfully submits that there is ample support in the original specification for this amendment, and that the amendment contains no new matter as will be demonstrated with the following remarks.

Original Figures 2A-2D show an electrode 205 over a layer 215 with a selective spacer

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02 FC:102  
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